

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARYFRANCES CASSELL,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 07-5200
	:	
CHRISTIAN SCIENCE BOARD OF	:	
DIRECTORS,	:	
Defendant	:	

M E M O R A N D U M

STENGEL, J.

December 13, 2007

The plaintiff in this case, Maryfrances Cassell, seeks redress for certain alleged deviations from the Church Manual of the First Church of Christ, Scientist, by its Board of Directors. She claims that the Board has assumed autocratic control over members in violation of the Church Manual, the sole governing document of the Christian Science Church, and that this disobedience has resulted in her own arbitrary removal from membership in the Church. However, the plaintiff has failed either to pay the \$350 filing fee to commence this civil action, or to file a motion to proceed in forma pauperis, requiring dismissal of the complaint as improperly filed on this ground alone.

It is within the court's power to grant an extension, enabling the plaintiff to pay the filing fee or to file for in forma pauperis status, rather than dismissing her action at this time. However, upon review of the plaintiff's complaint, it appears that she has set forth no possible legal basis upon which this court could grant relief. She bases jurisdiction on diversity of citizenship, yet does not claim damages in excess of the jurisdictional

threshold. See 28 U.S.C. § 1332(a) (2007). She styles this case as a “class action,” yet fails to plead even the most general and basic elements of a class action under the Class Action Fairness Act, Pub.L. No. 109-2, 119 Stat. 4 (2005) (codified in scattered sections of 28 U.S.C.). To grant an extension to pay the fee or seek in forma pauperis status would be an empty exercise on the part of the court, not to mention a needless waste of the plaintiff’s own time and resources. I will therefore dismiss the plaintiff’s complaint at this time. An appropriate Order follows.

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ORDER

STENGEL, J.

AND NOW, this 13th day of December, 2007, because the plaintiff has failed either to pay the \$350 filing fee to commence this civil action, or to file a motion to proceed in forma pauperis, the Clerk of the Court is directed to **CLOSE** this case statistically.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.